

1 Michael F. Ram (SBN 104805)  
2 mram@forthepeople.com  
3 Marie N. Appel (SBN 187483)  
4 mappel@forthepeople.com  
5 MORGAN & MORGAN  
6 COMPLEX LITIGATION GROUP  
7 711 Van Ness Avenue, Suite 500  
8 San Francisco, CA 94102  
9 Telephone: (415) 358-6913  
10 Telephone: (415) 358-6293

11 Benjamin R. Osborn (*Pro Hac Vice*)  
12 LAW OFFICE OF BENJAMIN R. OSBORN  
13 102 Bergen St.  
14 Brooklyn, NY 11201  
15 Phone: (347) 645-0464  
16 Email: ben@benosbornlaw.com

17 *Attorneys for Plaintiffs and the Proposed Class*

18  
19 THE UNITED STATES DISTRICT COURT  
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
21  
22 SAN FRANCISCO DIVISION

23 MEREDITH CALLAHAN and LAWRENCE  
24 GEOFFREY ABRAHAM, individually and on  
behalf of all others similarly situated,

25 Plaintiffs,  
26  
27 vs.  
28 PEOPLECONNECT, INC., a Delaware  
Corporation,  
Defendant.

Case No.: 3:20-cv-09203-EMC

**PLAINTIFFS' UNOPPOSED MOTION TO  
LIFT STAY**

Complaint Filed: Dec. 18, 2020

1 Plaintiffs respectfully move this Court to lift the stay put in place pending the Ninth  
2 Circuit's decision on PeopleConnect's appeal of this Court's denial of PeopleConnect's motion  
3 to compel arbitration. Defendant's counsel informed Plaintiffs they do not oppose Plaintiffs'  
4 motion to lift the stay.

5 Plaintiffs also respectfully request that the Court schedule a case management  
6 conference. Defendant's counsel informed Plaintiffs they agree that a case management  
7 conference should be scheduled in short order. Counsel for defendant is on trial in a different  
8 matter the week of April 18. Accordingly, Plaintiffs respectfully request the Court schedule a  
9 case management conference on the nearest available date on or after Monday, April 25.

10 In support of its motion to lift the stay, Plaintiffs state as follows:

11 1. On May 18, 2021, this Court denied PeopleConnect's motion to compel  
12 arbitration. ECF No. 26.

13 2. On June 16, 2021, PeopleConnect filed a Notice of Appeal. ECF No. 47. The  
14 appeal was docketed before the Ninth Circuit as *Callahan v. PeopleConnect, Inc.*, No. 21-16040  
15 (9th Cir.).

16 3. On December 19, 2021, Plaintiffs moved to stay this case pending the Ninth  
17 Circuit's decision in PeopleConnect's appeal. ECF No. 86. This Court granted the motion the  
18 next day. ECF No. 88. In the motion to stay, Plaintiffs wrote that they "anticipate moving to lift  
19 the stay promptly once the Ninth Circuit decides PeopleConnect's appeal." ECF No. 86, at \*1.

20 4. On March 18, 2022, the Ninth Circuit affirmed this Court's denial of  
21 PeopleConnect's motion to compel arbitration. ECF No. 92.

22 5. On April 11, 2022, the Ninth Circuit issued its Mandate, pursuant to which the  
23 judgment of the Ninth Circuit takes effect. ECF No. 94.

1 Because the Ninth Circuit has decided and resolved PeopleConnect's appeal of this  
2 Court's denial of the motion to compel arbitration, Plaintiffs respectfully request the Court lift  
3 the stay.

4  
5 Respectfully submitted,

6 Dated: April 11, 2022

7 By: /s/ Benjamin R. Osborn

8 Benjamin R. Osborn  
9 (admitted *Pro Hac Vice*)  
10 LAW OFFICE OF BENJAMIN R. OSBORN  
11 102 Bergen St. Brooklyn, NY 11201  
12 Telephone: (347) 645-0464  
13 ben@benosbornlaw.com

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20 711 Van Ness Avenue, Suite 500  
21 San Francisco, CA 94102  
22 Telephone: (415) 358-6913  
23 Facsimile: (415) 358-6923

24  
25 *Attorneys for Plaintiffs and the Proposed Class*

## **[PROPOSED] ORDER.**

The Court hereby GRANTS Plaintiffs' motion to lift the stay presently in place.

Initial Case Management Conference set for May 10, 2022 at 2:30 p.m. Joint Case Management Conference due May 3, 2022. 

Dated: April 11, 2022

A blue ink signature of the name Edward M. Chen.

Hon. Edward M. Chen  
United States District Judge